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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,993	03/12/2004	Hideyuki Sawada	INTLP0100US	8782

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EXAMINER

HOLLOWAY III, EDWIN C

ART UNIT	PAPER NUMBER
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2612

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/799,993

Applicant(s)

SAWADA ET AL.

Examiner

Edwin C. Holloway, III

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1-9-07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-8 and 10-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-8 and 10-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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EXAMINER'S RESPONSE

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11-9-06 has been entered.

In response to applicant's amendment filed 11-9-06~~12~~, all the amendments to the specification and claims have been entered. The examiner has considered the new presentation of claims and applicant's arguments in view of the disclosure and the present state of the prior art. And it is the examiner's opinion that the claims are unpatentable for the reasons set forth in this Office action:

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1, 3-8, and 10-14 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to

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particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 8 include firstly registering "a selected operation of a program" and secondly registering "another selected operation of a program," making it unclear which operation of which program is executed by "executing the operation of the program".

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1, 3-8, and 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cha (US 6212439) in combination with Huang (US005856789A) and Wugoski (US 6690392).

Regarding claims 1, Cha discloses a computer with user programmable button control operate a program in response to signal from a panel or from a remote control signal. A user selects via a computer input device a directory and execution file name to be stored in the table of fig. 7 corresponding to a button a represented by a scan code as indicated in fig. 6. See cols. 5-6. Further, tables in figs. 6 and 7 include plural programs. Regarding claim 3, fig. 6 includes an identifier selector (icon) and identifier register (program name).

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Regarding claim 4, a resource identifier is included in the from of the directory information in fig. 7. Regarding claim 5, the Execution file name and directory information represent program and operation. Regarding claims 8-12, the invention of Cha is in software on a personal computer.

Regarding the 11-9-06 amendment, independent claims 1 and 8 were amended to include firstly registering a selected operation of a program in a table corresponding to the remote control code received and secondly registering another selected operation of a program in a table corresponding to the remote control code received. This differs from Cha disclosing a "predetermined" scan code from the remote controller corresponding to a single program operation.

Huang discloses an analogous art computer system switched by a remote controller. So that a remote controller dedicated from controlling an appliance may be used to control a computer (col. 1 line 10 - col. 2 line 6), the computer system learns remote control codes from the buttons of any kind or brand of conventional remote controller and saves the code in a register (col. lines 10-42). In a configuration operation sampled codes are assigned to operations of the computer such as execution of a software program. Each sampled code and assigned operated are stored in the computer to allow remote control of the computer

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when the assigned code is received (col. 3 lines 31-4).

Regarding plural operations for a single button input, Wugoski discloses assigning a macro to perform any sequence of command to a single remote control button in col. 7 for to reduce rudimentary tasks. A first command, second command, etc. to be to associate with the corresponding button.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included in the invention of Cha the registering of the remote control code and selected operation of a program in a table "regardless of whether the register has previous knowledge of the remote code" of amended independent claims 1 and 8 because this is taught by Huang in order to use any kind or brand of conventional remote controller as a wireless peripheral device to remote control a personal computer. It further would have been obvious to have first register a command and secondly register another command corresponding to the received code in view of Wugoski disclosing assigning a sequence of commands to a single remote control button in to reduce rudimentary tasks.

Regarding claims 4 and 11 if the resource identifier is a web domain name then such would have been obvious in view of Wugoski disclosing this in col. 7 line 9 to reduce rudimentary tasks. If executing a program is not sufficient identifying an

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operation for claim 5 and 12, then further operation identification would have been obvious in view of Wugoski disclosing launching web browser and the operation of selecting a domain to reduce rudimentary tasks. Regarding claims 6 and 13, message storage and display would have been obvious in view of program names of Cha typically being displayed as part of the program window and/or Wugoski disclosing checking email and voice mail message in col. 7 lines 24-26 to reduce rudimentary tasks. Regarding claims 7 and 14, continuous operation would have been obvious in view of the volume control input 405 in col. 7 lines 49-51 of Wugoski that is typically continuous to reduce rudimentary task of repeated volume input.

Response to Arguments

6. Applicant's arguments with respect to claims 1, 3-8, and 10-14 have been considered but are moot in view of the new ground(s) of rejection.

The argument that Cha and Wang lack two program operations to a single remote code is not persuasive in view of the combination with Wugoski to teach this limitation. Wugoski discloses plural command corresponding to a singling button that is sufficient to make registering first and second program operations. The argument that Cha, Wang and Wugoski lack registration the same code "at different times" is not

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persuasive because "at different times" is required by the claim language. The argument that Wugoski assigns a sequence of command "at one time" is not persuasive because the claims do not exclude this. Further, Wugoski records a sequence that would include recording a first command, then recording a second command, etc. that corresponds to the claim language. For example, col. 8 lines 10-18 includes recording one command, then recording a delay command, and then recording further commands. Regarding unrelated commands, Wugoski includes any combination of commands, they do not have to be related.

Further the claims execute only "the operation of the program," suggesting that the second registration reassign the code to a different function as taught by step 718 of Movshovich (US005386251A).

CONTACT INFORMATION

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact an Electronic Business Center (EBC) representatives at 571-272-4100 or toll free at 1-866-217-9197 between the hours of 6 a.m. and midnight Monday through Friday EST, or by e-mail at ebc@uspto.gov. The Patent EBC is a complete customer service center that supports all Patent e-business products and service applications. Additional information is available on the Patent EBC Web site at <http://www.uspto.gov/ebc/index.html>.


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Any inquiry of a general nature should be directed to the Technology Center 2600 receptionist at (571) 272-2600. Facsimile submissions may be sent via central fax number 571-273-8300 to customer service for entry by technical support staff. Questions related to the operation of the facsimile system should be directed to the Electronic Business Center.

CENTRALIZED DELIVERY POLICY: For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies. For example, if the examiner has rejected claims in a regular U.S. patent application, and the reply to the examiner's Office action is desired to be transmitted by facsimile rather than mailed, the reply must be sent to the Central FAX Number. Inquiries concerning only hours and location of the Customer Window may be directed to OIPE Customer Service at (571) 272-4000

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin C. Holloway, III whose telephone number is (571) 272-3058. The examiner can normally be reached on M-F (8:30-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached on (571) 272-3059.

EH
3/19/07


EDWIN C. HOLLOWAY, III
PRIMARY EXAMINER
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